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September 22, 2000

Lawrence Noble, Esq.  
General Counsel  
Federal Election Commission  
Sixth Floor  
999 E Street, N.W.  
Washington, DC 20463

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COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
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**Re: MURs 4935 and 5057**

Dear Mr. Noble:

This letter is the response of Friends of Noach Dear (the "1998 campaign"), Dear 2000 (the "2000 campaign"), Friends of Noach Dear '93 (the "City Council campaign") and Abraham Roth, as Treasurer, (collectively, the "Committees") to the Commission's finding of reason to believe that the Committees violated the Federal Election Campaign Act of 1971, as amended (the "Act").

**INTRODUCTION**

These matters principally involve circumstances relating to Noach Dear's 1998 candidacy for the United States Congress, considered at length by the Commission in an audit. They also involve some additional allegations that were made in an administrative complaint by Sandy Aboulafia.

The 1998 campaign has already acknowledged that it experienced compliance difficulties, largely because Mr. Dear was a first-time candidate for Federal office with staff and volunteers who were inexperienced in Commission regulations. The campaign made these acknowledgments frankly, and at some risk to Mr. Dear's continuing political interests.

Far from being indifferent to these difficulties, the 1998 campaign took extensive steps to remedy them. With Mr. Dear's active participation, it raised and refunded more than \$275,000, much of it before the Commission issued the Interim Audit Report. It contacted more than 600 donors to collect contributor information. It prepared and filed its missing 1998 Year-End Report. It obtained documentation for 13 disbursements totaling \$902,003.68. It obtained statements from 32

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contributors attesting to the legality of their contributions. Finally, it filed amended reports to ensure a correct public record of its activities.

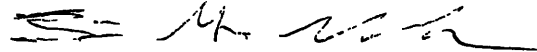
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Accordingly, the Committees respectfully request the Commission to dismiss the several allegations contained in the Factual and Legal Analysis for which there is no reason to believe a violation occurred. With respect to the remaining issues, the Committees formally request the Commission to engage in pre-probable cause conciliation. These matters should be resolved in a just manner that reflects the Committees' extensive and good-faith efforts to comply with the Act.

Very truly yours,

A handwritten signature in black ink, appearing to be a cursive combination of the names Marc E. Elias and Brian G. Svoboda.

Marc E. Elias  
Brian G. Svoboda  
Counsel to the Committees